

**Exhibit “4”**

**Exhibit “4”**

# FERDINAND IP

## LAW GROUP

IP | LICENSING | CORPORATE | LITIGATION | VALUATION

Jed Ferdinand, Esq.  
Reply to: New York office  
Phone: (212) 220-0523  
[JFerdinand@FIPLawGroup.com](mailto:JFerdinand@FIPLawGroup.com)

September 30, 2020  
VIA COURIER

GLOCK, Inc.  
6000 Highlands Parkway SE  
Smyrna, GA 30082  
Attn: President

Lipseys LLC  
7277 Exchequer Drive  
Baton Rouge, LA 70809  
Attn: President

### Re: Trademark Infringement of "P80" Registered Trademark

To Whom It May Concern:

We are legal counsel to Polymer 80, Inc., a world-renowned designer and developer of innovative firearms and after-market accessories that are sold in the U.S. and throughout the world. Polymer80 owns the attached U.S. Federal Trademark Registration No. 5,554,987 for the mark "P80" for use in connection with firearms and component parts for guns with priority of rights dating back to 2013 (the "Registration"). As a matter of law, our client's ownership of this Registration grants it the exclusive right to use the mark P80 on the registered goods, and also prevents the use and registration of the mark by third parties on similar or related goods.

Polymer80 has achieved strong rights in the P80 mark on both firearms and on component parts for guns through extensive sales and marketing of products bearing the mark, including those depicted at: <https://www.polymer80.com/search?keywords=p80> As a result of Polymer80's substantial sales, marketing and promotional activities for goods bearing the P80 mark, the mark has achieved secondary meaning and extensive goodwill such that the mark designates a single source of origin to customers in the United States.

It has come to Polymer80's attention that Lipsey's recently began promoting and offering for sale a "Lipseys Exclusive GLOCK "P80" 9MM pistol: <https://www.lipseys.com/crm/glockp80> Lipsey's unauthorized use of Polymer80's P80 federally-registered trademark constitutes trademark infringement and unfair competition under federal and state law in at least three ways:

#### FERDINANDIP.COM

##### NEW YORK OFFICE

450 7th Avenue  
Suite 1300  
New York, NY 10123  
P +1 (212) 220 0523  
F +1 (203) 905 6747

##### WESTPORT OFFICE

1221 Post Road East  
Suite 302  
Westport, CT 06880  
P +1 (203) 557 4224  
F +1 (203) 905 6747

##### SAN DIEGO OFFICE

2255 Avenida de la Playa  
Suite 8  
La Jolla, CA 92037  
P +1 (858) 412 4515  
F +1 (203) 905 6747

##### SILICON VALLEY OFFICE

800 W. El Camino Real  
Mountain View, CA 94040  
P +1 (650) 903 2201  
F +1 (203) 905 6747

Lipsey's LLC  
GLOCK, Inc.  
September 30, 2020  
Page 2

- (1) It creates a likelihood of traditional forward trademark confusion in that purchasers will believe mistakenly that there is an affiliation between Lipsey's and GLOCK, on the one hand, and Polymer80, on the other hand, when no such affiliation exists;
- (2) Alternatively, given the size and marketing capacity of GLOCK, there is a strong case of reverse trademark confusion in that consumers will mistakenly believe that Polymer80, the true and rightful owner of the federally-registered P80 mark, is infringing on the rights of GLOCK and Lipsey;
- (3) Finally, there is also a strong likelihood of post-purchaser confusion given that consumers have already drawn an association between the marks and products on social media. This confusion is harmful to Polymer80, its business and its valuable P80 federally-registered trademark.

Evidence showing such confusion may be found in the social media posts attached hereto.

Finally, we note that in a recent article, there is an obvious reference to Polymer80: <https://www.thefirearmblog.com/blog/2020/08/31/glock-p80/> "The P80 designation obviously predates the 80% build company ..." This is a veiled and unsuccessful attempt to establish a claim of priority of rights (where no such claim can be proven) and to minimize the clear confusing similarity between the companies and brands.

Polymer80 respects the intellectual property rights of others and it expects its competitors to do the same. Polymer80 will not tolerate the use of its trademark to direct consumers to the purchase of a competing product, nor to mislead consumers into believing that there is an association between the companies or their brands.

Accordingly, Polymer80 will require the following steps to be taken immediately in order to avoid a lawsuit for substantial damages and an injunction seeking to prevent the further marketing and sale of the Lipsey's Exclusive GLOCK "P80" 9MM pistol.

Your companies must:

1. Immediately cease and desist from any further unauthorized use of the "P80" mark on firearms or any related goods;
2. Remove any references to "P80" from any and all web sites and social media sites that you own and/or control;
3. Pull all products from the market that make unauthorized use of the "P80" mark;
4. Agree not to market, promote, distribute or sell firearms in the future bearing the "P80" mark;
5. Provide an accounting of sales of the Lipsey's Exclusive GLOCK "P80" 9MM pistol to date so that Polymer80 can calculate an appropriate measure of damages.

This offer will remain open for fourteen (14) days. If we do not receive a written response confirming your acceptance of the above terms by October 14, 2020, Polymer80 will consider all available legal options and remedies to prevent any further acts of trademark infringement and unfair competition.

Lipsey's LLC  
GLOCK, Inc.  
September 30, 2020  
Page 3

This letter is written without prejudice to the rights, claims, remedies, and defenses of our client, all of which are expressly reserved.

Very truly yours,

*Jed Ferdinand*

Jed Ferdinand